

Merchantville, NJ April 13, 2020

A regular meeting of Borough Council was held at 7:30 PM, Monday, April 13, 2020. Mayor Ted Brennan presided. Pledge of Allegiance and Silent Prayer-birth of children Lucy and Alice were observed. Announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

ROLL CALL:

Council Present: Sean Fitzgerald, Andrew McLoone, Anthony Perno, Maria Nina Scarpa, Dan Sperrazza @ 7:32, Raymond Woods, and Edward Brennan. Attorney Timothy Higgins, CFO Denise Moules and Clerk Denise Brouse were present.

PUBLIC: None

PUBLIC HEARING ORDINANCE 20-04 Guaranteeing Payment of Certain Project Notes and Revenue Bonds to be issued by the Merchantville-Pennsauken Water Commission **None**

ADOPT ORDINANCE 20-04 Guaranteeing Payment of Certain Project Notes and Revenue Bonds to be issued by the Merchantville-Pennsauken Water Commission

On a motion of Mr. McLoone and a second of Mr. Perno Council adopted the following Ordinance:

20-04
ORDINANCE OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN, NEW JERSEY, GUARANTEEING
PAYMENT OF CERTAIN PROJECT NOTES AND REVENUE
BONDS TO BE ISSUED BY THE MERCHANTVILLE-
PENNSAUKEN WATER COMMISSION

BACKGROUND

WHEREAS, The Merchantville-Pennsauken Water Commission ("Commission"), a body politic of the State of New Jersey, situated at 6751 Westfield Avenue, Pennsauken, New Jersey 08110, has been duly organized in accordance with the provisions of *N.J.S.A. 40:62-108 et seq.*; and

WHEREAS, the Commission is jointly owned by the Borough of Merchantville, County of Camden, New Jersey ("Borough") and the Township of Pennsauken, County of Camden, New Jersey in the following percentages:

Borough of Merchantville	11.58%
Township of Pennsauken	<u>88.42</u>
	<u>100.00%</u>

WHEREAS, the Commission has determined there exists a need within its service area for various improvements to its water system ("Water System") consisting of the construction of a Perfluorononanoic acid treatment plant to be located at Woodbine Avenue in Merchantville, New Jersey, all as more particularly described in the information prepared in connection therewith by the Commission's Consulting Engineer, on file and available for inspection in the offices of the Commission (collectively, the "Project"); and

WHEREAS, the Commission has determined to finance the costs of the Project through the issuance of its water revenue bonds in one or more series, in the aggregate principal amount not to exceed \$2,500,000 (collectively, the "Bonds"); and

WHEREAS, the Commission has also determined to temporarily finance the costs of the Project through the issuance of its Project Notes, Series 2020, in the principal amount of up to \$2,500,000 ("Notes"; together with other project notes issued to refinance the Notes in subsequent years and the Bonds, the "Obligations"); and

WHEREAS, the Notes will be authorized by the Commission pursuant to a resolution of the Commission entitled, "RESOLUTION OF THE MERCHANTVILLE-PENNSAUKEN WATER COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF ITS PROJECT NOTES, SERIES 2020, IN THE PRINCIPAL AMOUNT OF UP TO \$2,500,000; DELEGATING TO CERTAIN COMMISSION OFFICIALS THE POWER TO MAKE CERTAIN DETERMINATIONS AND TO AWARD AND SELL THE NOTES; APPROVING CERTAIN TERMS AND PROVISIONS OF THE NOTES AND THE PLEDGE OF REVENUES TO SECURE THE PAYMENT OF THE NOTES; AND DETERMINING CERTAIN MATTERS IN CONNECTION THEREWITH"; and

WHEREAS, it is the desire of the Borough to guarantee repayment of said Obligations in the event of a default by the Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, AS FOLLOWS:

Section 1. The Borough hereby guarantees repayment of the principal of and interest on the Obligations, when due, in the event the Commission is unable to make such payment.

Section 2. Said unconditional guarantee by the Borough shall be to the full extent of its ownership interest in the Commission, that being 11.58% of the amount of any default by the Commission.

Section 3. The term of this guaranty ordinance shall extend until the Obligations have been paid in full.

Section 4. All ordinances, or parts of ordinances, inconsistent or in conflict herewith are hereby repealed to the extent of any such inconsistency.

Section 6. In accordance with the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented, this guaranty ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

March 9, 2020

THE BOROUGH OF MERCHANTVILLE

The foregoing ordinance was introduced by Mayor and Council at the regular meeting held on March 9, 2020. This Ordinance will be considered for adoption on final reading and public hearing to be held on April 13, 2020 at 7:30 p.m. in the Council Chambers, Merchantville Borough Hall, 1 West Maple Avenue, Merchantville, New Jersey.

The purpose of this Ordinance is to Guarantee Payment of Certain Project Notes and Revenue Bonds to be issued by the Merchantville-Pennsauken Water Commission. A copy of this Ordinance is available at no charge to the general public between the hours of 8:30 AM to 4:30 PM, Monday through Friday (Legal

Holidays excluded), at the Office of the Borough Clerk, Merchantville Borough Hall, One West Maple Avenue, Merchantville, New Jersey.

ENGINEER REPORT – Bocce – Survey of road projects

CORRESPONDENCE - None

COUNCIL REPORTS

Mr. Fitzgerald – Fire – 21 calls, 11 Borough, 48 for year. Fire Station has shut down anyone coming into the building, no junior fire fighters at this time due to Covid 19. Thanks to everyone that participated in seeing the bunny as we drove around town.

Businesses have been struggling to get funds and grants.

Mr. Perno – It is the normal time to introduce the budget but we do not feel it is right and not sure of delay at this time. 30 day extension has been given by State. Vacant/abandoned total 35 properties, 1 resale, 8 for sale, 3 new properties. 108 Walnut, bank will rehabilitate.

Mr. Sperrazza – Public works street cleaning up curb line want a street sweeper rather than hire additional labor. May add additional cuts on lawn agreement and place on the agenda.

Ms. Scarpa – Court report, office closed at this time and cancelled thru June.

Seniors – Chestnut House doing well. St. Peters – will welcome information. April 6th St. Peter Ministry will close permanently. Freeholder Rodriguez gave phone number for senior assistance. Community giving available at communitygiving@Merchantvillenj.gov.

Mr. Woods – Joint land use board didn't have an April meeting. Planning on a virtual meeting in May. Edible and Sustainable meetings pushed to May or June.

Mr. McLoone – Police 995 calls down 10% from February, traffic 96, parking 37, arrests 18. Training limited Miller did class. No personnel issues. Police are only entering buildings for essential issues. Community is cooperation with directives.

Ms. Moules – estimated tax bills working with Ms. Emmett.

Corvid 19 – Community giving email people in need or anyone wants to help and direct.

Executive Order 122 – Came out last week. Retail put in place directives. Construction restrictions in place for ongoing permit holder. 13 Corvid cases in Borough. 10 more deaths in Camden County. Necessary to close walking path, it is the right decision.

OEM leading charge to be successful in this, thank you.

CLERK'S REPORT

Financial Disclosure forms are due

JIF webinar is available online

The bunny will be driving around town in the Fire truck

Election Day has been moved to July 7th

13 cases of Covid19 in and around Merchantville

Merchantville has set up a community giving email

OLD BUSINESS

NEW BUSINESS

DISCUSSION – Update on Covid 19 in Merchantville

RESOLUTIONS to be read by consent agenda: On the motion of Mr. Sperrazza and second of Mr. Perno, Council approved the following resolutions:

R20- 54

REQUESTING APPROVAL FROM THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR STORM RELATED RESERVE PURSUANT TO N.J.S.A. 40A:4-62.1

WHEREAS, permission is required from the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:4-62.1 allows municipalities to move unexpended balances budgeted annually for expenses related to storm recovery, and

WHEREAS, N.J.S.A. 40A: 4-39 provides the dedicated revenues anticipated for Storm Related Recovery are hereby anticipated as revenue and are hereby appropriate for the purpose to which said revenues are dedicated by statutes or other legal requirements,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, County of Camden, New Jersey as follows:

1. The Mayor and Council hereby request permission from the Director of the Division of Local Government Services to use the storm related reserved to pay expenditures for expenses related to storm recovery as per N.J.S.A. 40A:4-62.1.
2. The municipal clerk of the Borough of Merchantville is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

R20-55

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, STATE OF NEW JERSEY FOR LAWN CUTTING ON BOROUGH PROPERTY IN MERCHANTVILLE

WHEREAS, the Borough of Merchantville requested quotes for lawn cutting in the Borough of Merchantville in accordance with the requirements of N.J.S.A. 40A:11 et seq (“Local Public Contracts Law”); and

WHEREAS, council for the Borough of Merchantville have determined that John’s Landscaping and Outdoor Services is the selected contractor at a cost not to exceed \$993.00 per cut and a maximum of sixteen cuts for the season;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Merchantville does hereby Accept a one-year contract for John's Landscaping and Outdoor Services, 2303 Browning Road, Pennsauken, NJ 08110.

FINANCIAL REPORTS – On the motion of Mr. Perno and second of Mr. Sperrazza, Council approved the following:

R20-56			
RESOLUTION			
RESOLVED that the Report of the Department of Accounts and Auditing be accepted and spread upon the minutes and the Treasurer be is hereby authorized to pay bill approved therein.			
CURRENT FUND		REVENUE	BUDGET
CHECKS CURRENT FUND	2019 BUDGET	\$ -	\$ 3,394.07
	2020 BUDGET	\$ 37,807.16	\$ 161,930.96
	GRANTS		\$ 431.20
	PFRS		
	PERS		
	DEBT SERVICE		
	BOARD OF EDUCATION*		
	MEDICAL DEDUCTIBLE		
	CAMDEN COUNTY		
WIRE TRANSFERS PAYROLL	3/13/20-4/10/20		\$ 217,168.95
WIRES / MANUAL CHECKS			\$2,340.37
	TOTAL CURRENT	\$ 37,807.16	\$ 385,265.55
SEWER UTILITY			
CHECKS SEWER FUND	2020 BUDGET		\$ 616.05
	2019 BUDGET		\$ -
	DEBT SERVICE		
WIRE TRANSFERS PAYROLL	3/13/20-4/10/20		\$9,669.89
WIRE NJEIT LOAN			
WIRES /MANUAL CHECKS			
	TOTAL SEWER	\$ -	\$ 10,285.94
GENERAL CAPITAL FUND			
CHECK CAPITAL FUND			\$ 12,450.27
MANUAL CHECK			
WIRE TRANSFERS PAYROLL	3/13/20-4/10/20		
	TOTAL CAPITAL	\$ -	\$ 12,450.27
TRUST FUND			
CHECK TRUST OTHER FUND			\$ 15,655.92
REDEVELOPER TRUST			\$ 4,742.00
WIRE TRANSFERS PAYROLL	3/13/20-4/10/20		9,369.00
WIRES / MANUAL CHECKS			
	TOTAL TRUST	\$ -	\$ 29,766.92
SEWER CAPITAL FUND			
CHECK SEWER CAPITAL			
MANUAL CHECKS			
WIRE TRANSFERS PAYROLL			
	TOTAL SEWER CAPITAL	\$ -	\$ -
ANIMAL TRUST FUND			
ANIMAL TRUST CHECK			\$ 359.00
	TOTAL ANIMAL TRUST	\$ -	\$ 359.00
TOTAL BILL LIST & MANUAL CHECKS/WIRE			
		\$ 37,807.16	\$ 438,127.68
	GRAND TOTAL	\$	\$ 475,934.84

ANNOUNCEMENTS

PRIVATE SESSION – R20-57 Litigation

R20-57

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AUTHORIZING A PRIVATE SESSION OF COUNCIL**

Mr. Perno offered the following resolution and moved its adoption:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

Possible Litigation

3. It is anticipated at this time that the above stated subject matter shall be made public.
4. This Resolution shall take effect immediately.

Seconded by **Mr. Sperrazza** and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Mr. Fitzgerald	(x)	()	()	()
Mr. McLoone	(x)	()	()	()
Mr. Perno	(x)	()	()	()
Ms. Scarpa	(x)	()	()	()
Mr. Sperrazza	(x)	()	()	()
Mr. Woods	(x)	()	()	()

Dated: **April 13, 2020**

ADJOURNMENT: On the motion of Mr. Perno and second of Mr. Sperrazza the meeting was adjourned at 8:22 P.M.

**ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED
OFFICIAL ACTION MAY BE TAKEN AT THIS MEETING
AGENDA IS SUBJECT TO CHANGE**

Denise Brouse, Borough Clerk